IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:24-cv-481-FL

SUSAN JANE HOGARTH,	)	
	)	
Plaintiff,	)	
v.	)	**PROPOSED**
	)	**CONSENT**
KAREN BRINSON BELL, in her official	)	**SCHEDULING ORDER**
capacity as Executive Director of the North	)	
Carolina State Board of Elections, et al.,	)	
	)	
Defendants.	)	
	)	

THIS MATTER is before the Court at the request of the Court following the October 7, 2024 hearing on Plaintiff's motion for preliminary injunction, with counsel for all parties present, at which the Court directed the parties to submit a proposed briefing schedule for motions to dismiss.

Having considered the Proposed Consent Scheduling Order submitted by the parties;

IT IS HEREBY ORDERED that the following briefing schedule shall apply to Rule 12 motions:

1. As previously ordered by the Court, ECF No. 39, Defendants shall have until October 18, 2024, to file motions to dismiss for lack of subject-matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1). In filing the motions to dismiss based solely on Rule 12(b)(1), Defendants are not waiving any other applicable defenses under Rule 12(b).

2. Plaintiff shall have until November 22, 2024, to file a consolidated opposition brief in response to any of Defendants' Rule 12(b)(1) motions to dismiss. Plaintiff's consolidated opposition brief to any of the Defendants Rule 12(b)(1) motions to dismiss will be no more

than 60 pages in length.

3. Defendants shall have until December 13, 2024 to file briefs in reply, if any, to Plaintiff's opposition brief.

4. Following the Court's ruling on 12(b)(1) motions, Defendants shall be permitted to file motions to dismiss based on any other defenses listed in Federal Rule of Civil Procedure 12(b) or an Answer asserting those same defenses. These filings shall be due 14 days after the Court issues its ruling on Rule 12(b)(1) motions to dismiss.

SO ORDERED, this the ___ day of October, 2024

_____
LOUISE W. FLANAGAN
United States District Judge

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